

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES OF AMERICA

-against-

FRANKLIN RAY,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
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22 Cr. 228-1 (AT)

ORDER

On July 21, 2025, the Court received a letter dated June 27 from Defendant *pro se*, Franklin Ray, requesting leave from the Government to alter the designation of materials designated as Confidential, including material designated Attorney's Possession Only ("APO"), under the Protective Order dated May 23, 2022. ECF No. 140; *see* Protective Order ¶ 9, ECF No. 30.

Under the Protective Order, APO materials "shall not be possessed by the [D]efendant, except in the presence of the [D]efendant's counsel[,] and shall not be disclosed in any form." Protective Order ¶ 7. The Order provides, however, that "the defense may seek leave from the Government," "[a]t any time," "to alter the designations for materials designated as Confidential," including APO-designated material. *Id.* ¶ 9. "The Government will promptly review such [r]equested [m]aterial and (i) consent to the requested designation alteration or sharing of the material; or (ii) provide the defense with an explanation as to why the [r]equested [m]aterial cannot be designated or shared in the manner requested." *Id.* "The Government's designation of material as Confidential," including the Government's designation of material as APO, "control[s] absent contrary order of the Court." *Id.*

Accordingly, by **August 12, 2025**, the Government shall file a response (and mail a copy to Ray) indicating whether, in the Government's view, any of the material Ray requests may be disclosed to him, including subject to appropriate redactions, to whatever extent the material was not previously addressed by the Court's June 16 order denying Ray's initial request dated April 14. *See* ECF Nos. 133, 138. In connection with its response, the Government may provide the Court with unredacted copies of material for *in camera* review by the Court, to the extent that doing so will "facilitate the Court's consideration of [the] dispute[] regarding the [r]equested [m]aterial." Protective Order ¶ 9.

The Clerk of Court is respectfully directed to mail a copy of this Order to Defendant *pro se* at the following address:

Franklin Ray 31163-039
Federal Correctional Institution
P.O. Box 1000
Oxford, Wisconsin 53952

SO ORDERED.

Dated: July 22, 2025
New York, New York



ANALISA TORRES
United States District Judge